

Amendment After Final Rejection
Serial No. 09/411,756

PHA 23,789

REMARKS

Entry of this amendment, reconsideration and withdrawal of all grounds of rejection, and allowance of all the claims are respectfully requested in light of the above amendments and the following remarks. Claims 1-26 remain pending herein.

Summary of the Rejections:

(1) Claims 1, 3 and 23 stand finally rejected under 35 U.S.C. §102(a) as allegedly anticipated by "XML Fragment Interchange, W3C Working Draft, 1999 June 30", hereafter "W3C").

(2) Claims 2, 4, 6-9, 1-14, 16-22 and 24-27 stand rejected under 35 U.S.C. §103(a) over W3C.

Applicants' Traversal:

Applicants have amended all of the base claims to include the recitation that the structure node associated with a particular sub-tree of content nodes permits reconstruction in mid-transmission ranging from at least partial to complete reconstruction of the XML document without receiving all of the nodes transmitted. Support for this change is found at least in the specification at page 4, lines 8-10, and 18-20. Applicants also note that the structure node provides relative information relative to other sub-trees that assists in partial to full reconstruction of the XML document *in mid-transmission* without receiving all of the nodes transmitted.

It is respectfully submitted that the W3C reference fails to disclose, suggest, or in combination with anything in the art, provide motivation to an artisan to modify the prior art such that the instant claims would have been obvious to the artisan at the time of invention.

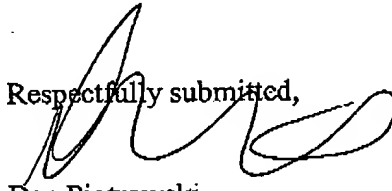
Amendment After Final Rejection
Serial No. 09/411,756

PHA 23,789

Accordingly, none of the base claims are anticipated by the W3C reference, nor would they have been obvious over the W3C reference. In addition, all of the dependent claims are allowable at least for dependence on an allowable base claim, and because of an independent basis for patentability as well.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,



Dan Piotrowski
Registration No. 42,079